

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN CIVIL LIBERTIES UNION, and
AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS,

Plaintiffs,

v.

C.A. No. 1:19-CV-12242-WGY

UNITED STATES DEPARTMENT OF
JUSTICE, FEDERAL BUREAU OF
INVESTIGATION, and DRUG
ENFORCEMENT ADMINISTRATION

Defendants.

JOINT MOTION TO EXTEND TIME
FOR FILING MOTION FOR SUMMARY JUDGMENT

Defendants, U.S. Department of Justice, Federal Bureau of Investigation and Drug Enforcement Administration (collectively “Defendants”), by their attorney, Nathaniel R. Mendell, Acting U.S. Attorney for the District of Massachusetts, together with the Plaintiffs, American Civil Liberties Union and American Civil Liberties Union of Massachusetts (collectively “Plaintiffs”) respectfully request the Court to extend the date by which Defendants are to file their Motion for Summary Judgment to October 15, 2021.

As grounds for this motion, Defendants state that they have had several discussions with Plaintiffs regarding the schedule in this matter. Defendants provided Plaintiffs with its Vaughn index on March 3, 2021 and a supplemental Vaughn index on March 31, 2021. Since then, Defendants responded to several inquiries regarding the scope of its production and conducted a supplemental search on Plaintiffs’ request. As a result of this supplemental search, Defendants made a production to Plaintiffs on July 30, 2021. Defendants had expected this to be the final

production but was unable to produce all of the documents at that time. Defendants expect to make another production on August 27, 2021. In addition, upon the request of Plaintiffs, Defendants agreed to expand its search to include additional terms not previously searched. This search remains ongoing. Because of the anticipated August 27 production, and because of the supplemental search, both Plaintiffs and Defendants agree that additional time to file their respective briefs is warranted. It appears that Defendants will be able to file their Motion for Summary Judgment on or before October 15, 2021. Plaintiffs will file their opposition and/or cross-motion on or before November 15, 2021, and Defendants' opposition to Plaintiff's cross-motion and/or reply will be filed on or before December 6, 2021.

WHEREFORE, the parties request that the Court grant their motion and order that the Defendants file their Motion for Summary Judgment on or before October 15, 2021; and further order that oppositions and/or cross-motions be filed by November 15, 2021, and any reply to oppositions and/or oppositions to cross-motions be filed by December 6, 2021.

Respectfully submitted,

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Acting U.S. Attorney

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